

\*E-FILED - 5/19/06\*

Defendant.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06-0074 RMW
	)	
Plaintiff,	)	<b>ORDER CONTINUING</b>
	)	<b>HEARING AND EXCLUDING TIME</b>
v.	)	
	)	
JAMES FITZGERALD,	)	
	)	
Defendant.	)	
_____	)	

The parties have stipulated to continue the hearing date in this matter on grounds that the defense requires additional time for preparation and investigation, and is awaiting additional information from the government. The parties request that the hearing be continued from May 15 to June 12, 2006, at 9:00 a.m.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date in this matter is continued to June 12, 2006, at 9:00 a.m.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from May 15, 2006 to June 12, 2006, be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

IT IS SO ORDERED.

Dated: 5/19/06

/s/ Ronald M. Whyte  
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RONALD M. WHYTE  
United States District Judge